

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Dominic Jermaine Smith

Docket No. 5:15-CR-50-1M

Petition for Action on Supervised Release

COMES NOW Corey Rich, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Dominic Jermaine Smith, who, upon an earlier plea of guilty to Possession With Intent to Sell and Deliver a Quantity of Cocaine Base (Crack) and a Quantity of Marijuana, in violation of 21 U.S.C § 841(a)(1) and 21 U.S.C. § 841(b)(1)(C), and Possession of a Firearm in Furtherance of a Drug Trafficking Offense, in violation of 18 U.S.C. § 924(c) and 18 U.S.C. § 924(c)(1)(A)(i), was sentenced by the Honorable Malcolm J. Howard, Senior United States District Judge, on December 8, 2015, to the custody of the Bureau of Prisons for a term of 106 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. Dominic Jermaine Smith was released from custody on September 16, 2022, at which time the term of supervised release commenced. On April 10, 2023, the case was reassigned to Chief Judge Richard E. Myers II for all further proceedings.

On April 11, 2023, a Violation Report was forwarded to the Court advising that on March 20, 2023, the defendant provided a urine sample that tested positive for marijuana. He continued with substance abuse treatment and his testing frequency was increased. The Court agreed to continue supervision. On May 23, 2023, a Violation Report was forwarded to the Court advising that on May 4, 2023, the defendant provided a urine sample that tested positive for marijuana. The defendant's treatment was increased to include group counseling and the Court agreed to continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On October 30, 2023, the defendant submitted a urine sample that tested positive for marijuana. When confronted, he admitted to using the illegal substance two days ago. The defendant remains enrolled in substance abuse treatment and the Surprise Urinalysis Program. He has agreed to complete 24 hours of community service as a punitive sanction. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
Supervising U.S. Probation Officer

/s/ Corey Rich
Corey Rich
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2540
Executed On: October 31, 2023

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ORDER OF THE COURT

Considered and ordered this 7th day of November, 2023, and ordered filed and made a part of the records in the above case.

Richard E Myers II
Richard E. Myers II
Chief United States District Judge